

**WITHERS BERGMAN LLP**

Brian Dunefsky (BD-3554)  
Dara G. Hammerman (DH-1591)  
430 Park Avenue, 10<sup>th</sup> Floor  
New York, New York 10022  
212.848.9800 (p)  
212.848.9888 (f)

*Attorneys for Bright Colors Design Center, Inc., Claimant-Appellant*

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x  
SECURITIES INVESTOR PROTECTION :  
CORPORATION, : Adv. Pro. No. 08-01789 (BRL)  
Plaintiff, :  
v. : SIPA LIQUIDATION  
: (Substantively Consolidated)  
BERNARD L. MADOFF INVESTMENT :  
SECURITIES LLC, :  
: Defendant, :  
-----x  
-----x  
In re: :  
: Debtor. :  
-----x

**NOTICE OF APPEAL**

Claimant-appellant, Bright Colors Design Center, Inc., hereby appeals under 28 U.S.C. § 158(a)(1) to the United States District Court for the Southern District of New York from all aspects of the *Memorandum Decision And Order Granting, To The Extent Set Forth Herein, Trustee's Motion To Affirm Trustee's Determinations Denying Claims Of Claimants Without BLMIS Accounts In Their Names, Namely, Investors In Feeder Funds* corrected by an *Errata Order* (Doc. No. 4209) (collectively, the “Memorandum Decision”) (Doc. No. 4193), of the

United States Bankruptcy Court for the Southern District of New York entered in the above-captioned SIPA Liquidation proceeding on June 28, 2011. The names of all of the relevant parties to the Memorandum Decision in the SIPA Liquidation proceeding and the names, addresses, and telephone numbers of the respective attorneys are as follows:

| PARTY  | COUNSEL   |
|--|---|
| Irving H. Picard, Trustee for the Substantively Consolidated SIPA Liquidation of Bernard M. Madoff Investment Securities LLC and Bernard L. Madoff | Baker & Hostetler LLP,<br>David Sheehan, Esq.,<br>Seanna R. Brown, Esq.,<br>Bik Cheema, Esq.,<br>45 Rockefeller Plaza, New York, NY 10111,<br>Telephone 212-589-4200  |
| The Securities Investor Protection Corporation   | Securities Investor Protection Corporation,<br>Josephine Wang, Esq.,<br>Kevin H. Bell, Esq.,<br>Christopher H. LaRosa, Esq.,<br>805 Fifteenth Street, N.W., Suite 800,<br>Washington, D.C. 20005,<br>Telephone 202-371-8300 |
| The Securities and Exchange Commission   | Securities and Exchange Commission,<br>Katherine B. Gresham, Esq.,<br>100 F Street, N.E., Room 8115,<br>Washington, D.C. 20549,<br>Telephone 202-551-5148   |
| The Jewish Community Foundation of the Jewish Federation Council of Greater Los Angeles  | Barger & Wolen LLP,<br>John C. Holmes, Esq.,<br>633 West Fifth Street, 47 <sup>th</sup> Floor,<br>Los Angeles, CA 90071,<br>Telephone 213-680-2800  |
| Black River Associates, L.P. and its Members   | Becker, Glynn, Melamed & Muffly LLP,<br>Chester B. Salomon, Esq.,<br>299 Park Avenue,<br>New York, NY 10171,<br>Telephone 212-888-3033  |
| Diane and Roger Peskin, Maureen Ebel, and a  | Becker & Poliakoff LLP,<br>Helen Davis Chaitman, Esq.,  |

|   |  |
|---|--|
| large group of other customers  | 45 Broadway, 11 <sup>th</sup> Floor,<br>New York, NY 10006,<br>Telephone, 212-599-3322   |
| Bricklayers and Allied Craftsmen Local 2<br>Annuity Fund, Bricklayers and Allied<br>Craftworkers Local 2, Albany, NY, et al | Blitman & King LLP,<br>Jennifer A. Clark, Esq.,<br>Charles E. Blitman, Esq.,<br>Bernard T. King, Esq.,<br>James R. LaVante, Esq.,<br>443 North Franklin Street,<br>Syracuse, NY 13204,<br>Telephone 315-422-7111 |
| NBK Investors   | King & Spalding LLP<br>Richard A. Cirillo, Esq.,<br>Lauren W. Mitchell, Esq.,<br>1185 Avenues of the Americas<br>New York, NY 10036<br>Telephone 212-556-2100  |

Dated: New York, New York  
July 12, 2011

WITHERS BERGMAN LLP

By: Dara Hammerman  
Brian Dunefsky (BD-3554)  
Dara G. Hammerman (DH-1591)  
430 Park Avenue, 10<sup>th</sup> Floor  
New York, New York 10022  
212.848.9800 (p)  
212.848.9888 (f)  
*Attorneys for Bright Colors Design  
Center, Inc., Claimant-appellant*